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PART-I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION HARYANA

NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

Order

The 12th February, 2019

SUBJECT:- PANCHAYAT GENERAL ELECTIONS-2016 DISQUALIFICATIONS OF DEFAULTING CANDIDATES REG.

No. SEC/2E-II/2019/195 The General Elections of Zila Parishad, Panipat were held in January, 2016 and the results of the elected candidates were declared on 28.01.2016.

2. As per provisions contained in the Haryana Panchyati Raj Election Expenditure (Maintenance and Submission of Accounts) Order, 1996, every candidate contesting election to the post of Member of Zila Parishad shall have to maintain day to day election expenditure account in accordance with the procedure laid down in paras 4, 5 and 6 of these orders and shall have to lodge his account of election expenses within 30 days from the date of declaration of result of the election in the prescribed format with the Deputy Commissioner-cum-District Election Officer (Panchayat) or any other officer as specified by the Commission. The total of the expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. Para 11 of these orders provides that if the State Election Commission is satisfied that a person –

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure the State Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and may such person shall be disqualified for a period of three years from the date of the order.

4. The Commission, *vide* its notification No. SEC/2E-II/2015/5782, dated 03.06.2015 prescribed the limit of expenditure of Rs. 2,00,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Member Zila Parishad.

5. As reported by the Deputy Commissioner-cum-District Election Officer, Panipat through his letter No. 2806/ Panchayat, dated 18.05.2016, sixty one contesting candidates of Zila Parishad, Panipat failed to submit their election expenditure statement within the prescribed time. The Commission had served a show cause notice upon them to explain as to why they should not be disqualified on account of non submission of election expenditure account within the prescribed period. In the first instance, I had given an opportunity of personal hearing to thirteen candidates in my office chamber on 09.01.2019 in the interest of justice. Sh. Sat Narain, Assistant was present on behalf of the Deputy Commissioner-cum-District Election Officer (Panchayat), Panipat.

6. The following candidates did neither respond to the show cause notice nor appeared before me, details as under:-

क्र०सं०	उम्मीदवार सर्व श्री/श्रीमती	पिता/पति सर्वश्री	गांव	वार्ड नं०
1.	कृष्ण लाल	अजमेर सिंह	डाडौला	11
2.	प्रीतम सिंह	तिलक राम	गोयला खुर्द,	11
3.	सतीश कुमार	छोटू राम	ताजपुर	11
4.	उषा रानी	अशोक कुमार	बापौली	12
5.	कविता चौहान	बलिन्द्र रावल	जलालपुर	12
6.	कविता देवी	प्रदीप रावल	बापौली	12
7.	कुसुम रहेजा	सुरेन्द्र रहेजा	बापौली	12
8.	मौसम	अनिल रावल	बापौली	12
9.	सीमा	जसबीर	बापौली	12
10.	सुदेश देवी	सुनील कुमार	गोयलाकलां	12
11.	सुमन	अशोक	अतौलापुर	12

Therefore, it can be concluded that the above mentioned candidates have nothing to say in the matter. Hence, they deserve to be disqualified. I, Dr. Dalip Singh, State Election Commissioner, Haryana, in exercise of powers vested under Article 243K of the Constitution of India and Section 212 of the Haryana Panchayati Raj Act, 1994 and all other powers enabling in this behalf hereby order that the eleven candidates mentioned above be disqualified for being chosen as, and for being a member of Panchayats i.e. Gram Panchayat, Panchayat Samiti and Zila Parishad for a period of three years from the date of this order.

7. I further direct that a copy of this order be sent to all the candidates through Deputy Commissioner-cum-District Election Officer, Panipat.

8. I further direct that a copy of this order be hosted on website of the Commission www.secharyana.gov.in.

Panchkula:
The 9th January, 2019.

DR. DALIP SINGH,
State Election Commissioner, Haryana.